

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
Charlotte Division**

In re:

JOSEPH GREGORY JEMSEK,

Debtor.

JOSEPH STANLY JABKIEWICZ
administrator of the Estate of KATHLEEN
MARIE JABKIEWICZ, AND JOSEPH
STANLY JABKIEWICZ, Individually, and as
Guardian Ad Litem for Minors MATTHEW
JOSEPH JABKIEWICZ and Michael
STEVEN JABKIEWICZ,

Plaintiffs,

vs.

JOSEPH G. JEMSEK, M.D., CHRISTIE
ROESKE, R.N.P., and THE JEMSEK CLINIC,
P.A.

Case No. 06-31986

Chapter 11

Adversary Proceeding No. 07-3019

**ORDER ADOPTING REPORT AND
RECOMMENDATION OF BANKRUPTCY COURT**

Upon consideration of the *Report and Recommendation Regarding Plaintiffs' Motion for Relief from Stay; Motion for Mandatory or Discretionary Abstention; Motion for Remand; Motion for Withdrawal Of Reference* (the "Report and Recommendation") the Court has determined that the findings and conclusions outlined in the Report and Recommendation should

be adopted by this Court.

IT IS, THEREFORE, ORDERED that:

The Motion is DENIED in part and GRANTED in part;

The Bankruptcy Court shall handle all pre-trial matters in this proceeding; and

When this proceeding is ready for trial, the reference shall be withdrawn.

Signed: May 7, 2007

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

